REMARKS

Claims 1 and 3 are pending in this application. By this Amendment, claim 4 is canceled, and claim 1 is amended. Reconsideration based on the above amendments and the following remarks is respectfully requested.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner D'Adamo in the January 19 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks. Specifically, claim 1 is amended to comply with the Examiner's helpful suggestions made during the interview.

I. The Clams Satisfy 37 C.F.R. §1.75(c)

The Office Action objects to claim 4 under 37 CFR §1.75(c) as allegedly being of improper dependent form. Claim 4 is canceled and thus this objection is now moot. Withdrawal of this objection is respectfully requested.

II. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1 and 3 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,819,987 to Stringer in view of U.S. Patent No. 5,931,532 to Kemmerer et al. ("Kemmerer"). This rejection is respectfully traversed.

None of the applied references teach or suggest a seat that includes "a strain gauge provided directly on a back surface on the proximal side of a frame in the seatback and in the leg rest . . . " and "an operation-stopping means instantly ceasing a pivotal movement . . . when a force acting on the strain gauge as well as a force acting on the area of the seatback or the leg rest detected by the strain gauge are larger than a predetermined reference value," as recited in amended claim 1.

Instead, Stringer merely discloses a seat that includes an actuation assembly 30 that is attached to the foot rest 20 at a connector 32. See, e.g., Stringer, col. 2, lines 13-17. Thus,

Stringer does not disclose a strain gauge that is "provided directly on a back surface on the proximal side of a frame in the seatback and in the leg rest" as recited in claim 1.

Further, Kemmerer does not make up for Stringer's deficiencies. Kemmerer discloses a safety system for a lift recliner chair. Specifically, the lift recliner chair includes a safety switch system adapted to deenergize the lift motor when an obstacle is present underneath the chair as a chair is being lowered from a release to a seated position. The safety system deenergizes the motor when it senses the presence of a child or other object within the space between the top of the base and the bottom of the chair and the various operating arms and components of the mechanism. See, e.g., Kemmerer, col. 2, lines 55-59. The sensing system of Kemmerer includes suitable sensing elements. Specifically, Kemmerer discloses that a preferred sensing system includes a plurality of pressure sensitive ribbon sensing switches in the form of strips or tapes 60 mounted on the bottom facing surfaces of the wooden frame members, the bottom surface of the footrest, the bottom surfaces of arms and the top surfaces of frame members. See e.g., Kemmerer, col. 3, lines 1-13. A slight touch on the sensors cause the motor to be deenergized. See e.g., Kemmerer, col. 3, lines 20-25. Thus, the obstacle, i.e., child or object, must be in direct contact to deenergize the motor.

Further, Kemmerer alternatively discloses a sensor switch employed by light sensitive strips. The motors are deenergized when the object breaks the curtain of light. Thus, the object or obstacle must be in the curtain of light around the space defined by the perimeter of the bottom of the chair and the top of the base frame in order for the light motor to be deenergized. See, e.g., Kemmerer, col. 3, lines 60-67.

In contrast, the claimed seat includes a "strain gauge provided directly on a back surface on the proximal side of a frame in the seatback and in the leg rest," wherein pivotal movement is ceased "when a force acting on the strain gauge as well as a force acting on the area of the seatback or the leg rest is detected by the strain gauge are larger than the

predetermined reference value," as recited in independent claim 1. In other words, the strain gauges sense pressure in the mass area on the seat back or leg rest, because the strain gauges are placed at the approximate sides of the seat back (seat back frame 5A) and a leg rest (leg rest frame 6A). See e.g., Figs. 3A and 3B. Thus, wherever the seat back and leg rest are pressed, even the area not in direct contact with or over the strain gauges, the strain gauges are effectively contracted or expanded having the motion immediately stopped. Thus, the claimed strain gauge is different from the sensing system of Kemmerer.

Thus, claim 1 and claim 3 dependent therefrom, are not rendered obvious by Stringer in view of Kemmerer. Withdrawal of this rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5 and 7-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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